



# Groundwater Protection and Water Wells Workgroup Meeting

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*Wednesday October 16, 2013*

*Hosted by the DEC*

*1<sup>st</sup> floor conference room 555 Cordova St. Anchorage with teleconference*

Attendees in Anchorage: Fred Sorensen (UAF), Charley Palmer (DEC), Kathleen Kastens (Private Well Owner/Facilitator), Chris Miller (DEC), Rebecca Baril (DEC), Jeff Ellison (WWC), David Schade (DNR), Bill Kranich (PE / PWS Owner – Southcentral), Elizabeth Rensch (Analytica)

Attendees via teleconference line: Wayne Westberg (WWC), Pamela Goode (Private Citizen), Michael Smith (Senator Bishop's office), Jim Munter (Hydrogeologist/Consultant), Dan Brotherton (WWC) Jody Seitz (Dillingham Planner), Lee Ice (WWC), Larry Swihart (WWC), Roy Robertson (DEC), Ted Schacle (WWC), Milo Pitner (WWC), Craig Seime (WWC).

## Meeting Minutes

Facilitator: Kathy Kastens (DEC)

### **Introduction**

- Review of agenda
- Review of minutes
  - All agreed
- Action Items
  - NGWA and Borough Summary
    - Rebecca: This information was sent out a couple weeks after the last meeting August 21, 2013.
  - Information for Institutions and Realtors
    - Rebecca: This information was sent out with the agenda.
    - Jim Munter added that the pamphlets are very generic.
    - Fred pointed out that one pamphlet is from Montana, and should be changed to reflect Alaska.
    - Chris agreed that the document from Montana does not provide much information.
      - Needs Alaska-fication but still wanted to throw it out there.
      - The other is good but very generic (Well Care document). There aren't a lot of resources to recreate this information. Perhaps we could consider

linking to it. If someone feels we can modify it, we can work on that and update it.

- Kathy: Generic one's ok? There isn't any information available currently for Alaska, so this is a start.
- Kathy: open discussion on the documents: What do you think?
  - Jim: Hard to know how good it really is, especially if there is an absence of standards for private wells. Anchorage may have resources for this.
  - Kathy: Is it so generic that it isn't worth it?
  - Jim: no opinion.
  - Wayne: Muni has several handouts that are pretty good. Along the same lines as 10 states standards.
  - Lee mentioned that he hasn't had time to review it. A few others mentioned they had this same issue.
  - David added that we need to ensure we aren't crossing any lines with proprietary information.
  - Chris clarified that right now we are thinking we will just link to the information.
  - Fred: Some links say these can be downloaded for free but we should still put sites in links rather than worry about copyrights. Currently, this document mentions Montana, may turn people off to the information. In the context of the website, we have to remind people that wells are not a do-it-yourself project. If a mortgage company is involved, these things come up. If you don't use one, you don't run into these things and they don't know where to start.
  - Kathy : So until next meeting, review the items and we will continue to look into more information (i.e. Anchorage references).
  - Charley: Real estate fact sheet – the realtor is going to want to know who to contact for testing etc.
  - Wasilla teleconference line joined the meeting.
  - Chris: We don't want to be a publication factory, but more a hub for helpful resources. Also, as a note, the PDF of the website we sent out contains live links to the other websites and documents.
  - Wayne: There is limited value to these documents. We need to make sure everything links to Alaska and keep it simple to link to outside agencies. We should make a subcommittee to review documents and the website.
  - Kathy: Everyone review the website and documents and decide if you want to be part of the subcommittee. Let Rebecca know before the next meeting.
  - Larry: Suggested that the subcommittee reviews and reports back to the group.

- All agreed.
- Kathy: Review of the website mock-up:
  - Chris: Rebecca made this. It currently isn't live (although, the links on the side and within the document do currently work). One question we have is with the logos. How does the group feel about including the collaborator logos?
  - Kathy: It's currently just a PDF, but the links are live. Right now, we are waiting to hear comments and feedback.
  - Rebecca: The large boxes at the top labeled "Before you drill" and "Existing Well Owners" will hopefully be set up so that when you click, it will direct you to those headings further down on the webpage.
  - Lee mentioned that he had an issue opening the document, with a few others agreeing to have an issue as well.
  - Jim added that he liked the ideas of the logos. At conferences there are co-sponsors that display their logos. This could just be an option for groups to include themselves.
  - Chris: Let us know if you would like your logo included or excluded on the webpage.
  - Charley commented that the current format of the PDF is hard to comment on and is difficult to get it to print in a format that is easy to read.
  - Chris: If you are having issues, feel free to call us up and give us your comments.
  - Rebecca added that she would put together a separate PDF of the website that is broken up for ease of printing, and will send it out to the group.
  - Kathy: Make comments on the website by email/phone or save until the next meeting.
  - Elizabeth added that she showed this site mock-up to many of the analysts in her office and it "made them all smile". This will be a great place to point people to and could be a tremendous success story.
  - Wayne asked if he could get a hold of a master list of all the participants from the workgroup with email and phone numbers.
  - Chris responded that we could put that together.
  - Larry asked for clarification as to what needs to be sent to who.
  - Kathy: Send questions of technical difficulties to Rebecca. Compilation of comments can be sent to everyone.
  - Charley added that these comments should be in before the next meeting.

- Kathy added that comments made too close to the next meeting (within a few days) could risk not making it onto the list of comments to review at the meeting.
- Kathy: Well logs. Should we move on? What was determined at last meeting.
  - David Schade: Everything seems pretty clear to him. This issue may come back up in future discussions of standards and certification. He reminded everyone that the governor has told them to review their regulations.
  - Fred added that the minutes captured the discussion well. 3-4 pages of the document was all about well logs.
  - A few members from the Wasilla office commented that they did not have the minutes/discussion.
  - Kathy: Due to the few people who still need to review the discussion, we will table the topic until the meeting.
  - Jim: Before we table – the enforcement or no enforcement option. We have identified reasons why they don't get turned in. A third way to motivate the submittal of well logs could be to create incentive too as part of the government system. If people are trying to pick a driller, they will most likely pick a driller with a good track record with the DNR.
  - Chris: The NGWA has the oath of following state regulations for those water well contractors certified through them.
  - Larry asked if Chris was insinuating that the NGWA be required. He added that there are water well drillers that are not members of the NGWA or AWWA and are not required to be.
  - Chris clarified that he wasn't implying it should be required.
  - Larry: But it would become advantageous?
  - Kathy: What we are saying is that well logs submittal are good. Chris said that for NGWA it's a requirement so that would add another reference for driller background. Licensing has been tabled. Well logs discussion will be tabled until next meeting.

## Issues and Concerns

- Limited statewide standards (reiterated the issues):
  - Kathy: There is a standard [regulation] on decommissioning. What we reference for standards is copyrighted and cannot be handed out by us.
  - Bill added that the standards from AWWA are very vague.
  - Dan asked what it mattered as to how vague the standards are if the well driller is aware of what is necessary.
  - Bill Disagreed. He has personally dealt with that issue. If you wanna do it right, you have to lay out a plan and submit for approval, then do the work. If you refer to the document as written there are no specifics and it doesn't even talk about bentonite.

- Wayne: Anchorage well standards describe the proper way to decommission, fill it with bentonite chips, then cut off below level.
- Charley asked whether there was any specifics to leaving the casing or pulling it?
- Wayne clarified that pulling is essentially cost prohibitive.
- Kathy: What the state currently uses is good guidance. You all have the way that you want to do it, we should get together and compile some standards.
- Charley brought up that drillers aren't always the ones decommissioning wells. There is nothing that says that it has to be drillers.
- Wayne: In the MOA there is a requirement.
- Charley clarified that there is nothing statewide requiring.
- Wayne recommended changing that.
- Kathy: Do we agree the AWWA standard doesn't cut it. Do we agree that it needs to be changed?
- Charley: Are we speaking of public or private?
- Kathy clarified that for DEC, just public. We are at the point where if we at least have something to reference we are further ahead than where we are now.
- Wayne: for the MOA the report is always submitted to DEC. He will work on drafting up some decommissioning standards.
- Roy added that private reports go to DNR.
- Wayne responded that the draft report goes to DNR, but questioned that since it's a contamination issue, whether it should go to DEC.
- David responded that we weren't trying to figure out jurisdiction. He is planning to put the standards in regulations because there is nothing there as of now.
- Wayne: We will submit the standards, while the DEC and DNR can decide on the statutory limits.
- David: There is a public process in place that the group could use to submit their recommendations. Coming from the workgroup, the recommendations could hold more weight.
- Kathy summarized the current situation: Wayne will draft up standards and the group will submit a public proposal to DEC and DNR regulations.
- Larry: At the beginning of these meetings a year ago, the DEC said there was no agenda – but here we are talking about regulations.
- Kathy clarified that the only agenda the DEC has is to address the issues and concerns. When the DEC was asked about the agenda it was believed to have meant that we had a preconceived notion for how these meetings will go. No, there is no notion, just as long as we are addressing the issues and concerns. Please don't jump to conclusions just because we suggest an addition or edit to a regulation. We will only move forward with regulations if there is an agreement from the group.
- Charley added that this is already in regulation and that it would be something that makes it easier for contractors and public water systems to access the information.

- Chris: Right now we don't have a standard to easily direct people to. The current standards are copyrighted and we can't easily direct people to them. A possible outcome could be just a guidance manual.
- Kathy: We just need something to point to. The current DEC regulation is not favorable for groundwater protection. The guidance needs to exist somewhere, whether in or out of regulation.
- Larry: Very correct in that respect. I like the clarification.
- David added that he has engineers calling with the same issues. They don't know where to point things to. This is a good example of an issue that is dealt with once a week.
- Jody offered a perspective from a different direction. She is a city planner for Dillingham. There is concern about what the community can find and get answers to directly and readily. There needs to be something for the ordinances to direct to. There needs to be something for rural Alaska that can be readily accessible.
- Kathy: The rest of the sub-issues on this topic are much more vague. The floor was opened to discuss the rest of the sub-issues.
- Wayne asked for clarification as to private or public.
- Kathy: We [DEC] only have something for public, so advised to just consider public for now.
- Charley added that there are minimal standards in the DEC regulation, and that what's called the "10-state standards" are also referred to for guidance.
- Wayne responded that the AWWA 100 standard gives choices that apply to the specific area. He recommended scrapping all the current standards. He added that he had went through this in 1994 with the MOA and came up with something that applied to their local condition. It is not too far off to apply to the state. He recommended the group use it as base and edit it for domestic standards.
- Charley added the 10 states standards recommends two wells and that wouldn't really be very applicable for individuals.
- Kathy asked for a consensus to Wayne's proposal of using the MOA standards as a basis.
- Charley added that the NGWA is currently looking at publishing some standards for construction for domestic wells.
- Wayne responded that there is a chance they will be generic and vague just like AWWA
- David reiterated Wayne's idea to take standards from MOA and edit them.
- Jeff brought up the issue of locational difficulties if the standards are too specific.
- David: The standards may be able to be set up to edit for the location.
- Larry suggested that they could be based on geographic area and be broken up. A general standard may not work everywhere
- Bill: There are certain details that are important everywhere. The regulation ought to cover that. The rest will be figured out .
- Charley: Local conditions could be addressed by the local gov.
- Kathy added that it would be good to fill out the content first. Make it broad for the issue not the region.
- Jeff asked whether they were talking about drillers or the public.

- Kathy responded that one of the issues was that when bids were being put together, the public wasn't educated enough to know what was needed.
- Wayne: It doesn't matter which. There are limited statewide standards. We need to make a basic standard, and from there regions can develop standards for their area.
- Bill asked how completions (clarified as how they complete the casing) in permafrost were performed. He has never seen any guidance and may need to be a topic addressed in the standards.
- Lee: There is no way of insulating the whole thing. A permafrost well is no different than a regular well. It needs to be protected, but is essentially no different.
- Dan added that he has drilled wells everywhere, and always used the same technique.
- Charley asked that, since there are very different types of permafrost and frozen soil, does that affect the drilling and completion?
- Lee responded that a case by case standard is needed. With abandoning a permafrost well, they will freeze themselves back. If you seal and bentonite the well, it will be tighter sealed than any other.
- Charley brought up that MOA was discussing rewriting the current standards and asked whether anyone was involved?
- Wayne responded that they are no where with it, and the current standards are the best to start with it.
- Kathy summarized: Wayne will send out standards for everyone to review. Everyone say whether standards need to be expanded or discussed. We will need to discuss where it will reside and how it will be implemented. Does everyone agree this is a good place to start?
- Larry: agree
- Jody: agree
- Lee: agree
- Ted: agree
- Wayne: Agree
- Dan: Agree
- Craig: Agree
- Anchorage: agreed
- Wayne: Absolutely will send out the standards. Pretty clear.
- Kathy: Look at Chapter 15 of Original Onsite [Water Well Code]. These are the standards Wayne will be referencing.
- Rebecca will send out Standards Chapter 15 for everyone to have and review/comment.
- Jim referring back to the agenda document. Difficulty finding detailed information about what the problem is and where issues exist. Problems haven't made it into public record and there needs to be a better system of documenting the problems. Some problems are too subjective, so we need an idea of the problems to know what we need to do.
- Charley: Even with submitted well logs there is little to no documentation on whether grouting is applied. There has been no inventory of issues. One problem with these issues is that they may sometimes involve personal information.

- Kathy: We have talked about making a list. But putting out names can make things even more contentious. We have no problem compiling a list, but we would like the information from you. It's not just improperly constructed wells, there are other surrounding issues.
- Wayne: If we come up with the standards – reoccurring construction issues will become apparent. Hard to come up with issues without a good standard to reference.
- Kathy: Since this is an issue that continually arises, it was asked as to whether this issue/concern should be removed from the list.
- Jeff: Did the MOA standards help the issues that were happening in Anchorage?
- Wayne: Absolutely. Nitrate levels in drinking water dropped and many other problems went away. Surface grouting eliminated many issues.
- Jim added that he mentioned this just for general awareness and to make sure the group is fixing a problem that needs to be fixed.
- Lee: For every bad well there are a thousand good wells.
- Charley: The drillers that are attending these meetings are good quality drillers, who don't represent other non-member drillers, and their perspective on the quality of well drilling may be biased.
- David: The group has a lot of projects going on, and we need to make sure we are focusing on the projects we have without adding more. The people who are here are the ones who care. As the group we lead by example. Coming up with standards and education will go a long ways to solve the problem. It only takes one problem to contaminate one aquifer that a lot of people are using, and ends up causes a big problem. He would like to commend everyone for working on this.
- Fred: Who seeks drillers? People who need wells. There are MOA wells and public wells that know where to go because they are regulated. There are domestic places outside of MOA and they have to figure out where to go and they don't necessarily know where to go aside from ads or word of mouth. The key is to provide a resource from this group. If we decide to put the standard up, then they know where to go. It will be very important to make sure this site is well known.

### Wrap-up and next Meeting

All agreed to hold the next meeting November 20, 2013 from 6-8 pm.

### Action Items:

All members to review the documents. Consider if you would like to be part of a subcommittee to put together documents for distribution.

All members to review the website. Provide comments by email, phone, or save for discussion next meeting.

- Rebecca will send out the website in whole format and in a broken up format for printability.
- If you're organization is participating in the workgroup and you would like your logo included on the website, please let us know and provide your logo to Rebecca.



- Chris will contact NGWA to see if we can use/modify the Fact Sheet series..."What You Need to Know: Facts for Well Owners".
- Charley will research potential existing guidance/fliers available from the MOA for real estate professionals. Rebecca will send out the MOA Chapter 15.55 water well code standards. This was recommended by Wayne to be used as a starting point for developing statewide well construction standards.

Wayne will work on well decommissioning standards for the group to discuss.

Rebecca will send out a master list of contact information of workgroup members.

**Next Meeting is November 20, 2013 from 6-8pm**